



Newtown St Boswells Melrose TD6 0SA Tel: 01835 825251 Fax: 01835 825071 Email: ITSystemAdmin@scotborders.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100013310-003

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Aitken Turnbull Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Aitken	Building Name:	
Last Name: *	Turnbull	Building Number:	9
Telephone Number: *	01896 752760	Address 1 (Street): *	Bridge Place
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Galashiels
Fax Number:		Country: *	Scotland
		Postcode: *	TD1 1SN
Email Address: *	admin@aitken-turnbull.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr & Mrs"/>	Building Name:	<input type="text" value="Oaklands"/>
First Name: *	<input type="text" value="Brian"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Soar"/>	Address 1 (Street): *	<input type="text" value="Cliftonhill"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Ednam"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Kelso"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="TD5 7QE"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="Scottish Borders Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Nothing	<input type="text" value="637198"/>	Easting	<input type="text" value="374034"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Proposed Building Plot for erection of dwelling house

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Refer to supporting documents

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

At the time of application the houses opposite (14/01220AMC; 14/0134/AMC) were not complete but one is now occupied (Hawthorn House) and the other is in its final stages of construction following which it will also be occupied. These developments result in the two settlements (Ednam & Cliftonhill) are now visibly linked from public views. Furthermore the proposed dwelling will be within the visual umbrella of the new dwellings as it is entirely contained by the massing/cluster.

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Application Form, Layout Plan, Site Photographs, Appeal Statement

Application Details

Please provide details of the application and decision.

What is the application reference number? *

16/01425/PPP

What date was the application submitted to the planning authority? *

11/11/2016

What date was the decision issued by the planning authority? *

09/01/2017

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

A site inspection will give committee members a more informed perspective and context of the application.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Aitken Turnbull Architects Aitken Turnbull

Declaration Date: 18/01/2017



Newtown St Boswells Melrose TD6 0SA Tel: 01835 825251 Fax: 01835 825071 Email: ITSystemAdmin@scotborders.gov.uk

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Thank you for completing this application form:

ONLINE REFERENCE 100013310-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Proposed Building Plot

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

Yes No

Has the work already been started and/or completed? *

No Yes -- Started Yes - Completed

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Atken Turnbull Architects		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Atken	Building Name:	<input type="text"/>
Last Name: *	Turnbull	Building Number:	9
Telephone Number: *	01896 752760	Address 1 (Street): *	Bridge Place
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Galashiels
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	TD1 1SN
Email Address: *	admin@atken-turnbull.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr & Mrs	Building Name:	Oaklands
First Name: *	Brian	Building Number:	<input type="text"/>
Last Name: *	Soar	Address 1 (Street): *	<input type="text"/>
Company/Organisation:	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Ednam
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	TD5 7QE
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

Scottish Borders Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

637198

Easting

374034

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Planning Officer indicated that the proposed site adjacent to Keleden would fail to comply with development plan Policy G8 and proposed Policy PMD4 in that the site is located outwith the development boundary of the village and an exceptional approval cannot be justified.

Title:

Mr

Other title:

First Name:

Barry

Last Name:

Fotheringham

Correspondence Reference Number:

15/01181/PREAPP

Date (dd/mm/yyyy):

20/01/2016

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

0.13

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Grazing / Farmland

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- Yes – connecting to public drainage network
 No – proposing to make private drainage arrangements
 Not Applicable – only arrangements for water supply required

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? *

- New/Altered septic tank.
 Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).
 Other private drainage arrangement (such as chemical toilets or composting toilets).

What private arrangements are you proposing for the New/Altered septic tank? *

- Discharge to land via soakaway.
 Discharge to watercourse(s) (including partial soakaway).
 Discharge to coastal waters.

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *

Drainage from the proposed dwelling house to be taken to a new septic tank with outfall connected to a closed soakaway system and / or existing field drainage system.

Do your proposals make provision for sustainable drainage of surface water?? *
(e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Altken Turnbull

On behalf of: Mr & Mrs Brian Soar

Date: 10/11/2016

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name:

Declaration Date:



**Erection of Dwellinghouse
Oaklands, TD5 7QE
Ednam, Scottish Borders**

**Statement of Appeal - January 2017
For Mr and Mrs B Soar
Aitken Turnbull Architects**



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- 2.Reasons for Refusal**
- 3.Grounds of Appeal**
- 4.Conclusion**

Appendices

- 1.Decision Notice**
- 2.Site Plan as submitted**
- 3.Aerial Photograph**
- 4.Public view (pre neighbouring development)**
- 5.Public view (post neighbouring development)**



1.0 Introduction

1.1 This statement of appeal has been prepared by Aitken Turnbull Architects on behalf of the applicant and owner of the site Mr and Mrs Soar, who wish to build and occupy the house themselves.

1.2 The applicants own three other properties in the village, two of which they currently run as a tourism business (let accommodation at River Cottage and The Old Smithy) and the third (Oaklands) they also intend to let as holiday let. They will need a place for them to live in order to carry on the business. As they own a piece of land which is close to the holiday accommodations, which is required for maintenance and running of the business, it was seen as the ideal place to build a dwelling for their own use.

1.3 The proposal (16/01425/PPP) for the new dwelling was lodged on 11th November 2016 with a decision, via delegated powers to refuse the application received on 9th January 2017. As such, we now seek to appeal the decision via the Council's Local Review Body.

1.4 This statement now responds to the reasons for refusal and, where appropriate, cross referring to the delegated officers report, Development Plan and material considerations. The supporting documentation to this appeal are listed



2.0 Reasons for Refusal

2.1 Within the 'Decision Notice' the main reason for refusal was:

The proposals would be contrary to Policy PMD4 of the Scottish Borders Local Development Plan 2016 in that the erection of a dwellinghouse on this site would result in development outwith the development boundary of the village as defined on the settlement profile of Ednam, leading to unjustified encroachment into the open countryside and coalescence with the Cliftonhill building group. The proposed dwelling is not a job generating development in the countryside that has economic justification under Policy ED7 or HD2; it is not an affordable housing development that can be justified in terms of Policy HD1; a shortfall in the provision of an effective 5 year land supply has not been identified and it is not a development that would offer significant community benefits that would outweigh the need to protect the development boundary.

2.2 It is considered important to highlight at this stage key points or observations on the Planning Officer's report. These being that:

Representations

2.3 The officers' report mentions that Roads Planning had no objection to the proposals.

2.4 There was only one letter of objection received. The objector lives in Keleden adjacent to the application site, and the objection related to road traffic.

2.5 There was no representations made by the CC.

2.6 A representation was made by E&LL requiring a contribution of £2718 for the new Kelso High school. The applicant confirmed they would be prepared to enter into a 569 Legal Agreement to allow payment of this contribution at the appropriate time.

Planning Considerations and Policies

2.7 SESPlan Strategic Development Plan. Scottish Borders Consolidated Local Plan and Scottish Planning Policy provide the key policies and which are then supported by the Supplementary Planning Guidance (SPG) and Planning Advice Notes (PAN).

2.8 The local plan is being seen as the primary consideration in the determination of this application.

2.9 It is noted that there is a need for the council to facilitate the delivery of sufficient new housing to meet local needs.

2.10 The plot will be located in such a way that it will be less visible than the properties consented on planning applications 14/01314/AMC and 14/01220/AMC that neighbour it.

2.11 The development will not conflict with the established land use of the area as the area is surrounded by residential dwellings and can easily form part of the overall character of the area.

2.12 The development will not be cramming or overdevelopment in the area. There is sufficient space for the dwelling and much more of the site area will be untouched by the development.

2.13 The development will not result in any significant loss of daylight, sunlight or privacy to the adjoining property such as overshadowing or overlooking.



Other considerations

2.14 It is important to bear in mind that this is an application for planning permission in principle, much more of the detailed design is reserved for a later stage in the planning process.

2.15 The development will maximise the efficient use of energy resources such as the use of Solar PV, will avail of current infrastructure and use sustainable construction techniques.

2.16 The dwelling can be accommodated on site with minimum intervention and will not require any significant engineering works.

2.17 Following consultation with the Roads Department it is agreed that a detailed application will include the requested requirements.

2.18 The dwelling will be a unique design and finished externally in materials, colours and textures which complement the highest quality of architecture.



3.0 Grounds of Appeal

Reason for Refusal

3.1 The reason for refusing the application is outlined in chapter 2. It centres on the belief that the proposal encroaches into the open countryside and that it seeks to bridge the building groups at Ednam and Cliftonhill.

3.2 Our response to the reason for refusal together with the informative leading to the decision forms the 'Grounds of Appeal' and which are now listed below.

Grounds of Appeal

3.3 The settlement boundary of East of Ednam is not set by any strong physical feature and simply follows the garden boundary of Keleden. A more logical boundary exists on the linear fence line between the two fields marked A + B on the attached site plan, and it has been proposed that this edge be planted to provide a reinforced landscaped boundary.

3.4 Both Ednam and Cliftonhill share the same postcodes and we would argue that they are not clearly defined separate settlements.

3.4 The developments created through planning applications 14/01314/AMC and 14/01220/AMC effectively creates a linkage development especially when viewed from the public road (B6461)/accessible countryside, and so we would dispute that there is encroachment into the open countryside or coalescence.

3.5 We would propose that there is a linear building group formed by (West to East) The Old Smithy, River Cottage, Oaklands and Keleden, and that a modest addition would not be out of character nor would be damaging to the open countryside. We consider that appropriate planting could contain the development and prevent any sprawl.

3.6 Whilst there has not been a case presented for economic justification under Policy ED7 or HD2 it is our clients intention to expand their business by adding Oaklands into the letting business as it offers accommodation to larger groups of people that are presently not catered for and they have had a number of enquiries for large groups of people. The business generates employment (cleaners, laundry services, garden and maintenance workers) and the monies are recycled locally.

3.7 The clients do not intend to build a mansion house but rather a modest dwelling to which they will retire. The vernacular would be entirely appropriate in terms of scale and affordability.

3.8 The Council have identified a shortfall in the effective 5 year land supply and any contribution to lessen the shortfall should be supported.



4.0 Conclusion

We believe that the subject site represents a sound location for a new dwelling. It relates well to its immediate surroundings and will avail of existing infrastructure provision and public transport services nearby.

The Community Council offer no objections to the proposal and we believe that the proposal, for reasons outlined in the 'Grounds of Appeal' and Planning Supporting Statement provide more than sufficient evidence to show that following the construction of the houses opposite the site, the reasons for refusal no longer remain valid.

We should add that our client is content to meet the Developer Contributions for the new Kelso High School.

Taking the 'Grounds of Appeal' note within chapter 3 we therefore respectfully request that the appeal be allowed.

Appendix 1

*Regulatory Services***TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997****Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013****Application for Planning Permission****Reference : 16/01425/PPP****To : Mr & Mrs Brian Soar per Aitken Turnbull Architects Ltd 9 Bridge Place Galashiels
Scottish Borders TD1 1SN**

With reference to your application validated on **11th November 2016** for planning permission under the Town and Country Planning (Scotland) Act 1997 for the following development :-

Proposal : Erection of dwellinghouse**at : Land East Of Keleden Ednam Scottish Borders**

The Scottish Borders Council hereby **refuse** planning permission for the reason(s) stated on the attached schedule.

**Dated 9th January 2017
Regulatory Services
Council Headquarters
Newtown St Boswells
MELROSE
TD6 0SA**

Signed

A rectangular grey box redacting the signature of the Chief Planning Officer.

.....
Chief Planning Officer



Regulatory Services

APPLICATION REFERENCE : 16/01425/PPP

Schedule of Plans and Drawings Refused:

Plan Ref	Plan Type	Plan Status
PP-01	Location Plan	Refused

REASON FOR REFUSAL

- 1 The proposals would be contrary to Policy PMD4 of the Scottish Borders Local Development Plan 2016 in that the erection of a dwellinghouse on this site would result in development outwith the development boundary of the village as defined on the settlement profile map for Ednam, leading to unjustified encroachment into the open countryside and coalescence with the Cliftonhill building group. The proposed dwelling is not a job generating development in the countryside that has economic justification under Policy ED7 or HD2; it is not an affordable housing development that can be justified in terms of Policy HD1; a shortfall in the provision of an effective 5 year land supply has not been identified and it is not a development that would offer significant community benefits that would outweigh the need to protect the development boundary.

FOR THE INFORMATION OF THE APPLICANT

If the applicant is aggrieved by the decision of the Planning Authority to refuse planning permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to Corporate Administration, Council Headquarters, Newtown St Boswells, Melrose TD6 0SA.

If permission to develop land is refused or granted subject to conditions, whether by the Planning Authority or by the Scottish Ministers, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner may serve on the Planning Authority a purchase notice requiring the purchase of his interest in the land in accordance with the provisions of Part 5 of the Town and Country Planning (Scotland) Act 1997.

